

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

ALLIANCE FOR AUTOMOTIVE
INNOVATION

Plaintiff,

vs.

MAURA HEALEY, ATTORNEY GENERAL
OF THE COMMONWEALTH OF
MASSACHUSETTS in her official capacity,

Defendant.

C.A. No. 1:20-cv-12090-DPW

**[PROPOSED] ORDER ON
PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION**

WHEREAS, pursuant to Rule 65(a) of the Federal Rules of Civil Procedure, Plaintiff Alliance for Automotive Innovation (“Auto Innovators”), whose members include virtually all of America’s vehicle manufacturers, has moved for a preliminary injunction against the enforcement of Massachusetts SD645 (“the Data Law”), recently passed by ballot initiative and codified at Chapter 93K of the Massachusetts General Laws;

WHEREAS the ballot initiative election results were certified on November 18, 2020, and the Data Law is scheduled to become effective thirty days later on December 18, 2020; and

WHEREAS, after reviewing the papers submitted by the parties and after conducting a hearing on the motion, the Court has determined that:

- (1) Auto Innovators is likely to prevail on the merits on its argument that the Data Law is preempted by federal law because it conflicts with the requirements, purposes, and objectives of the federal National Traffic and Motor Vehicle Safety Act (the “Vehicle Safety Act”), 49 U.S.C. § 30101, *et seq.*, and/or the Clean Air Act, 42 U.S.C. § 7401, *et seq.*

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- (2) Auto Innovators and its members have no adequate remedy at law and are likely to suffer irreparable harm absent the requested preliminary injunctive relief;
- (3) the balance of the equities tips in favor of the requested preliminary injunctive relief;
- and
- (4) the requested preliminary injunction is consistent with, and would not undermine, the public interest.

The Court therefore hereby ORDERS that Auto Innovators' Motion for Preliminary Injunction is ALLOWED, and that the Data Law (SD645, codified at M.G.L. c. 93K) is enjoined from taking effect until Auto Innovators' constitutional challenge to the Data Law is adjudicated on the merits.

SO ORDERED on this _____ day of December, 2020.

Hon. Douglas P. Woodlock
United States District Court Judge